

AMENDED IN SENATE MAY 4, 2009

SENATE BILL

No. 640

Introduced by Senator Hancock

February 27, 2009

An act to amend ~~Section 52302.2~~ *Sections 52302.2 and 52302.8* of the Education Code, relating to career technical education.

LEGISLATIVE COUNSEL'S DIGEST

SB 640, as amended, Hancock. Regional occupational centers and programs: employer advisory boards.

~~Existing~~

(1) *Existing* law authorizes the county superintendent of schools of each county, with the consent of the State Board of Education, to establish and maintain, or with one or more counties to establish and maintain, a regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses. Existing law also authorizes the governing board of any school district maintaining high schools in a county, with the consent of the state board and of the county superintendent of schools, to cooperate in the establishment and maintenance of a regional occupational center or program, except as specified. Existing law requires the governing board of each regional occupational center or program to establish and maintain an employer advisory board or boards pursuant to guidelines developed by the State Department of Education. Existing law requires an employer advisory board to perform various duties, including, among others, approving measures, criteria, and methods to evaluate whether pupils acquired the skills and knowledge identified in their skill certificates and assisting a regional occupational

center or program in creating college scholarships for pupils participating in occupational course sequences.

This bill instead would require an employer advisory board to recommend measures, criteria, and methods to evaluate pupils' skills and knowledge. In addition to creating college scholarships, the bill would require an employer advisory board to assist a regional occupational center or program in identifying scholarships.

(2) Existing law prescribes calculations that limit the percentage of state-funded average daily attendance which a regional occupational center or program is authorized to claim for services provided to students not enrolled in grades 9 to 12, inclusive. Existing law excludes adult average daily attendance attributable to continuously enrolled grade 12 pupils who have not passed the high school exit examination from those calculations. Existing law requires that amounts that become available from reductions resulting from those calculations shall be redirected to other regional occupational centers or programs to serve additional secondary pupils.

This bill would make an exception from that redirection requirement for a regional occupational center or program that has entered into a corrective action plan. The bill also would make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 52302.2 of the Education Code is
2 amended to read:

3 52302.2. (a) The governing board of each regional occupational
4 center or program shall establish and maintain an employer
5 advisory board or boards pursuant to guidelines developed by the
6 department. The advisory board shall do all of the following:

7 (1) Assist in the development of skill certificates that identify
8 the skills and knowledge that pupils completing an occupational
9 course sequence are expected to acquire upon completing the
10 sequence. The advisory board also shall recommend the measures
11 and criteria, and methods to evaluate whether pupils actually
12 acquired the identified skills and knowledge.

13 (2) Review at least once a year whether pupils who are assessed
14 as having met the requirements for a skill certificate possess the
15 skills needed for success in employment in that occupation.

1 (3) Review the specific occupational sequences offered by the
2 regional occupational center or program to train pupils for jobs
3 that are in demand and offer high beginning salaries or the potential
4 for significant wage increase after several years on the job.

5 (4) Assist the regional occupational center or program in
6 developing internships, paid summer employment, and
7 postgraduation employment opportunities for pupils participating
8 in the course sequences.

9 (5) Assist the regional occupational center or program in
10 identifying and creating college scholarships for pupils
11 participating in the course sequences.

12 (b) Employer advisory boards shall be composed of
13 representatives of trade organizations and businesses or government
14 agencies that hire a significant number of employees each year
15 and require the skills and knowledge that are taught in the course
16 sequence or sequences in that occupational area, as well as at least
17 one representative from a school district career technical
18 educational advisory committee. The department shall develop
19 regulations guiding the establishment of these boards.

20 (c) Regional occupational centers or programs operated in a
21 rural county of the sixth, seventh, or eighth class may designate a
22 local business or industry organization as the advisory board and
23 consult with the leadership of the local business or industry
24 organization to determine skill needs in the region and emerging
25 job market needs. For purposes of this section, the local business
26 organization may be designated as the advisory board for the
27 regional occupational center or program.

28 *SEC. 2. Section 52302.8 of the Education Code is amended to*
29 *read:*

30 52302.8. (a) The Legislature hereby finds and declares that
31 vocational training resources that are provided through regional
32 occupational centers and programs are an essential component of
33 the state's secondary school system and the local system of
34 providing occupational skills training to high school pupils. For
35 this reason, the Legislature finds and declares that these resources
36 should be focused primarily on the needs of pupils enrolled in high
37 school.

38 (b) For the 2008–09 fiscal year, a regional occupational center
39 or program may claim no more than 50 percent of the state-funded
40 average daily attendance for which the center or program is eligible,

1 for services provided to students who are not enrolled in grades 9
2 to 12, inclusive.

3 (c) For the 2009–10 fiscal year, a regional occupational center
4 or program may claim no more than 30 percent of the state-funded
5 average daily attendance for which the center or program is eligible,
6 for services provided to students who are not enrolled in grades 9
7 to 12, inclusive.

8 (d) For the 2011–12 fiscal year and every fiscal year thereafter,
9 a regional occupational center or program may claim no more than
10 10 percent of the state-funded average daily attendance for which
11 the center or program is eligible, for services provided to students
12 who are not enrolled in grades 9 to 12, inclusive, and up to an
13 additional 5 percent for CalWORKs, Temporary Assistance
14 Program, or Job Corps participants and participants under the
15 federal Workforce Investment Act of 1998 (29 U.S.C. Sec. 2810
16 et seq.) who are enrolled in Intensive Training services.

17 (e) Pupils who are CalWORKs, Temporary Assistance Program,
18 or Job Corps participants shall have priority for service within the
19 percentage limits established under subdivision (d).

20 (f) Notwithstanding subdivision (d), a regional occupational
21 center or program may claim more than 15 percent of its average
22 daily attendance for students who are not enrolled in grades 9 to
23 12, inclusive, if all of the students who are not enrolled in grades
24 9 to 12, inclusive, are CalWORKs, Temporary Assistance Program,
25 or Job Corps participants, and if the governing board of the regional
26 occupational center or program does all of the following:

27 (1) Meets with local human services directors, and
28 representatives of adult education programs, community colleges
29 and other institutions of higher education, to assess the needs of
30 CalWORKs, Temporary Assistance Program, or, Job Corps and
31 federal Workforce Investment Act participants to identify
32 alternative ways to meet the needs of these adult students.

33 (2) Enters into a transition plan, approved by the Superintendent,
34 to become in compliance with subdivision (d) in accordance with
35 benchmarks and timelines established in the transition plan.
36 Transition plans shall be established pursuant to guidelines issued
37 by the department, in consultation with the State Department of
38 Social Services, and shall be resubmitted and reviewed annually.

39 (g) Notwithstanding subdivisions (b), (c), and (d), a regional
40 occupational center or program that claims more than 40 percent

1 of its students are not enrolled in grades 9 to 12, inclusive, on
2 January 1, 2007, shall submit a letter to the Superintendent by July
3 1 of each year until it complies with this subdivision, outlining the
4 goals of the regional occupational center or program to reduce the
5 number of adult students in order to comply with subdivision (d)
6 on or before July 1, 2013.

7 (h) Regional occupational centers and programs operated in a
8 rural county of the sixth, seventh, or eighth class may exceed the
9 number of adults by an additional 10 percent of the limits
10 established in subdivisions (b), (c), and (d).

11 (i) For purposes of this calculation, adult average daily
12 attendance attributable to continuously enrolled grade 12 pupils
13 who have not passed the high school exit examination pursuant to
14 Section 60851 is excluded from the calculation under this section.
15 ~~Amounts~~ *Except where a regional occupational center or program*
16 *has entered into a corrective action plan pursuant to subdivision*
17 *(k), amounts* that may become available from reductions resulting
18 from the enactment of this section shall be redirected to other
19 regional occupational centers or programs to serve additional
20 secondary pupils.

21 (j) The governing boards of a community college district and a
22 regional occupational center or program may enter into contractual
23 agreements under which the center or program provides services
24 to adult students of the community college district affected by this
25 section if both of the following are satisfied:

26 (1) The agreements conform to state regulations and audit
27 requirements jointly developed by the Chancellor of the Office of
28 the California Community Colleges and the State Department of
29 Education, in consultation with, and subject to approval by, the
30 Department of Finance.

31 (2) A course offered for adults pursuant to an agreement entered
32 into pursuant to this subdivision is limited to the same cost per
33 student to the state as if the course were offered at the regional
34 occupational center or program. This subdivision does not authorize
35 the apportionment of funds for community colleges for adult
36 students in excess of the revenue limit for regional occupational
37 centers or programs if a course is deemed eligible for college credit.

38 (k) A regional occupational center or program that fails to meet
39 a timeline established under subdivision (c), (d), or (g) shall meet
40 with the community college, adult education program, or other

1 adult service to identify alternative means of meeting the needs of
2 adult students and shall enter into a corrective action plan
3 administered by the department. The corrective action plan shall
4 be established pursuant to guidelines issued by the department and
5 shall be submitted to the department annually for review.

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